

# Summary of Propose Revisions to the Admission and Continued Occupancy Policy - FY 2025 - Public Housing Program

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<b>Chapter I. Program Administration</b>				
7-8	1(F) HOTMA	Regulatory	HOTMA PIH Notice 2023-27 PIH Notice 2024-38	Overview of HOTMA Act.
<b>Chapter II. Affirmative Marketing, Waiting List and Tenant Selection</b>				
12	2(A) Outreach to Very-Low Income Families	Discretionary	Affirmative Marketing	Described outreach efforts.
Deleted	2(B) Other Housing Programs	Discretionary	PHCD	<del>b) The Section 8 New Construction developments are County owned and privately managed. The management agents will be responsible for managing their own waiting lists.</del>
16	2(C)(5)(c) Removal from the waiting list	Discretionary	24 CFR § 960.208	a) Applicant families withdrawn for returned mail may request an informal review <u>up to five years or the closing of the waiting list whichever occurs first</u> for the purpose of reviewing and verifying the accuracy of the mail or email address in accordance with Chapter IX of this ACOP.
19	2(D) (6) (b) Admission Preferences	Discretionary	Regulatory-§ 960.206(b)(1)	<u>c) PHCD may establish residency preferences for persons that reside anywhere in Miami-Dade County, including families who work or have been hired to work in Miami-Dade County.</u>

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19	2(D) (6) (c) Admission Preferences	Discretionary	PIH Notice 2023-13	<u>c) Homeless referred by the Miami-Dade County Homeless Trust: In an effort to address the risk of homelessness, PHCD may collaborate with the Homeless Trust on referrals of persons transitioning out of a shelter, transitional housing program, rapid re-housing program or permanent supportive housing.</u>
19	2(D) (6) (e) Admission Preferences	Regulatory	HOTMA HCV and PBV Final Rule	<u>A selection preference for a participant under PHCD's Housing Choice Voucher or Project Based Voucher program who has lost their assisted housing because the private owner failed the Housing Quality Standards (HQS) and the family has been unable to lease a new unit within the period provided by PHCD.</u>
20-21	2(D) (7) (c) Referrals for Humanitarian Reasons	Discretionary		<u>Change of Program Special Admission Preference: PHCD may, at its sole discretion, for humanitarian reasons, including but not limited to, reasonable accommodation for a family member with disabilities in another PHCD administered federally assisted housing program, issue a voucher under another tenant-based PHCD program or provide another site-based housing opportunity, such as the Public Housing program. This family may be placed on PHCD's waiting list even if the waiting list is otherwise closed or may already be on PHCD's waiting list. PHCD will confirm that the tenant is in compliance with all assisted housing tenant and lease obligations. Approval of PHCD's Director or designee is required.</u>

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<b>Chapter III. Eligibility for Admission and Assignment Plan</b>				
22-23	3 (A) (2) HUD Approved Waivers Applicable to Persons Experiencing Homelessness	Discretionary	PIH Notice 2024-14	<u>PHCD has been granted two regulatory waivers related to verification requirements at admission to the HCV, PBV, or Public Housing programs to expedite admissions of persons experiencing homelessness (refer to homeless preference).</u>
28-29	3 (A) (5) Mandatory Social Security Numbers	Discretionary	HOTMA PIH Notice 2023-27 24 CFR 5.216(g)(1)(iii)	<u>Option to accept a declaration from the applicant stating why they cannot obtain their SSN card, and what their SSN is together with a document stating the person's name.</u>
39	3 (D) Verification of Assets for Applicants	Regulatory	HOTMA PIH Notice 2023-27	Current policy for assets maintained  <u>HOTMA policy on assets for Appicants moved to Appendix VI pending release of compliance date by HUD.</u>
39	3 (E) Limitation on Assets	Regulatory	HOTMA PIH Notice 2023-27	<u>HOTMA policy on limitations for assets for Applicants moved to Appendix VI pending release of compliance date by HUD.</u>
44	3(H)(4)(f) Criminal Activity	Discretionary	PHCD	<u>The lookback period starts from upon commencement of the date the application is accepted by PHCD, when formal eligibility screening commences.</u>
<b>Chapter VI. Eligibility for Continued Occupancy and Annual Reexaminations</b>				
64	6(C) Annual Reexamination	Regulatory with Discretionary Options	HOTMA PIH Notice 2023-27	<u>HOTMA policy on annual reexamination moved to Appendix VI pending release of compliance date by HUD.</u>

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65	6(E) Self-employment policy	Regulatory	HOTMA PIH Notice 2023-27 PIH Notice 2024-38	<p><u>Self-employment policy</u></p> <p><u>An independent contractor is an individual who qualifies as an independent contractor instead of an employee in accordance with the Internal Revenue Code Federal income tax requirements and whose earnings are consequently subject to Self-Employment Tax. In general, an individual is an independent contractor if the payer has the right to control or direct only the result of the work and not what will be done and how it will be done.</u></p> <p><u>Examples of independent contract work include but are not limited to:</u></p> <ul style="list-style-type: none"> <li>•<u>3rd party delivery and transportation service providers</u></li> <li>•<u>Rideshare drivers e.g., Uber, Lyft</u></li> <li>•<u>House cleaners, babysitting, childcare providers</u></li> </ul>
65	6(F) Seasonal employment	Regulatory	HOTMA PIH Notice 2023-27 PIH Notice 2024-38	<p><u>Seasonal employment policy</u></p> <p><u>A seasonal worker is an individual who is hired into a short-term position and the employment begins about the same time each year (such as summer or winter). Typically, the individual is hired to address seasonal demands that arise for a specific employer or industry.</u></p>
Deleted	6(H)(B) Zero Income Families	Discretionary	PHCD	<p><del>•PHCD will run an EIV income report every 90 days for families reporting zero income and will take appropriate action for unreported income</del></p>

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68-71	6(K) EIV	Regulatory	HOTMA PIH Notice 2023-27 PIH Notice 2024-38	EIV <ul style="list-style-type: none"> <li>• <u>PHCD may accept income verification dated within 120 days of the date received by the PHCD to verify income.</u></li> <li>• <u>PHCD may also accept a statement dated within the appropriate benefit year for fixed income sources</u></li> <li>• Remaining current policy maintained.</li> </ul> <p><u>Note that remainder of EIV policy was moved to Appendix VI pending release of compliance date by HUD.</u></p>
72	6(M) Income Validation Tool (IVT)	Regulatory	HOTMA PIH Notice 2023-27	<u>HOTMA policy on Income Validation Tool moved to Appendix VI pending release of compliance date by HUD.</u>
<b>Chapter VII. Determining Income and Income-Based Rent</b>				
74	7(A)(1) Calculating Annual Income	Regulatory	HOTMA PIH Notice 2023-27	<u>HOTMA policy on calculating annual income was moved to Appendix VI pending release of compliance date by HUD.</u>
75	7(C) Determination of Income Using Other Means Tested Public Assistance, i.e., "Safe Harbor"	Discretionary	HOTMA PIH Notice 2023-27	<u>PHCD may determine the family's income during annual reexamination based on income calculation information from certain means-tested federal public assistance programs or agencies such as the LIHTC.</u>

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75	7(D) Streamlined Income Determination	Regulatory	HOTMA PIH Notice 2023-27	<u>HOTMA policy on Streamlined Income Determination was moved to Appendix VI pending release of compliance date by HUD.</u>
75-76	7(E) Annual Income Inclusions	Regulatory	HOTMA PIH Notice 2023-27	Current policy on annual income inclusions added.  <u>Note that HOTMA policy moved on Annual Inclusions was moved to Appendix VI pending release of compliance date by HUD.</u>
77	7(F) Child Support		HOTMA PIH Notice 2023-27	Current policy on child support added.  <u>Note that HOTMA policy moved to Appendix VI pending release of compliance date by HUD.</u>
77--82	7(G)□ Annual Income Exclusions	Regulatory	HOTMA PIH Notice 2023-27 PIH Notice 2024-38	<u>Income exclusions apply at new admissions, annual, or interim reexaminations effective on July 1, 2025.</u>
82	7(H) (1) (a) Adjusted Annual Income- Deductions	Regulatory	HOTMA PIH Notice 2023-27	Current policy on deductions for dependents, elderly or disable family.  <u>HOTMA policy deductions for dependents, elderly, and disable family was moved to Appendix VI pending release of compliance date by HUD.</u>
82	7(H)(1) (b) Child Care Expenses	Regulatory	HOTMA PIH Notice 2023-27	Current policy on deductions maintained for child care.  <u>HOTMA policy on child care was moved to Appendix VI pending release of compliance date by HUD.</u>

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82-83	7(H) (1) (c) Health and Medical Care	Regulatory	HOTMA PIH Notice 2023-27 PIH Notice 2024-38	<p>Updated with health and medical care expenses defined per PIH Notice 2024-38</p> <p>- <u>Although HUD revised the definition of health and medical care expenses to reflect the Internal Revenue Service (IRS) general definition of medical expenses, HUD is not permitting PHAs to specifically align their policies with IRS Publication 502C2 for determining which expenses are included in HUD's mandatory deduction for health and medical care expenses. IRS Publication 502, in some instances, may instruct that certain expenses are not to be considered medical expenses that would otherwise be allowed under HUD's definition of health and medical care expenses. Effective July 1, 2025, PHCD must review each expense to determine whether it is eligible in accordance with HUD's definition of health and medical care expenses.</u></p> <p>Current policy maintained for Health and Medical Care Expenses.</p> <p><u>Note that remainder of policy on Reasonable Attendant Care and Auxiliary Apparatus Expense was moved to Attachment E pending release of compliance date by HUD.</u></p>
83-84	7(I) Student Aid and Financial Assistance	Regulatory	HOTMA PIH Notice 2023-27 PIH Notice 2024-38	<p><u>Student aid and financial assistance policy effective July 1, 2025</u></p>
85-86	7 (J) Assets	Regulatory	HOTMA PIH Notice 2023-27	<ul style="list-style-type: none"> <li>• Current policy maintained.</li> </ul> <p><u>HOTMA policy on Assets moved to Attachment E pending release of compliance date by HUD.</u></p>

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86	7 (K) Limitation on Assets for Residents	Regulatory	HOTMA PIH Notice 2023-27	<u>HOTMA policy on Limitation on Assets for residents was moved to Attachment E pending release of compliance date by HUD.</u>
<b>Chapter VIII. Interim Rent Adjustments: Fixed Rent System</b>				
89	8 (A) Adjusting Rent between Regular Reexamination	Regulatory	HOTMA PIH Notice 2023-27	Current policy on interim reexamination maintained. <u>HOTMA policy on interims reexamination was moved to Appendix VI pending release of compliance date by HUD. This policy addresses interim rent increases, interim rent decreases, and non-interim reexaminations. Includes the following: interim rent increases, interim rent reduction, and non-interim reexaminations.</u>
<b>Chapter XI. Grievance and Appeal Policy</b>				
97	11(A)(1) Applicant's Informal Reviews	Discretionary	PHCD	<u>1. Applicant during open registration who are not placed on the waiting list will not be offered an informal review..</u>